

REPORT


DATE: June 2, 2005

TO: Administration Committee and Regional Council

FROM: Don Rhodes, Manager, Communications rhodes@scag.ca.gov (213) 236-1840
Arnold San Miguel, Gov't Affairs, sanmiguel@scag.ca.gov (213) 236-1925

SUBJECT: Tribal Government Relations

EXECUTIVE DIRECTOR'S APPROVAL:



RECOMMENDED ACTION:

Approve and send a resolution to Tribal Governments (Resolution #05-464-1 through 16, A resolution of SCAG to federally recognized Tribal Governments in the region). Authorize and appoint a Regional Council Tribal Government Relations Task Force and approve a work program.

SUMMARY:

As a part of SCAG's efforts to include Tribal Governments in the transportation planning process and in response to resolutions presented to SCAG by Tribal Governments, SCAG staff request approval of a resolution to Tribal Governments (see attachment), the authorization and appointment of Regional Council members to a Tribal Government Relations Task Force and the approval of a work program (see attachment) to facilitate agreements with Tribal Governments.

BACKGROUND:

In November 2002 the SCAG Regional Council approved Strategic Plan Goal 5 that calls for establishing a role for Native Americans in the regional planning process, including voting membership on the Regional Council and the creation of a yet to be named Tribal Government Committee. In order to implement Strategic Plan Goal Five, SCAG in cooperation with different Tribal Governments (Agua Caliente; Morongo, Torres-Martinez and Cabazon) organized four summit meetings where SCAG invited Tribal Council members to meet to discuss coordination of transportation planning issues. The summits provided SCAG the opportunity to present information on regional plans under process and to receive input. SCAG hired a Tribal Liaison consultant, the National Indian Justice Center (NIJC). Mr. Joseph Myers is its Executive Director. The primary role of the NIJC is to help SCAG implement a formal process for the Tribal Governments to participate in the regional planning process.



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SCAG Work Program for Tribal Government Relations

In order to facilitate an agreement with each Tribal Government in the region the SCAG work program includes (1) Agreement membership language; (2) By-law Changes (as necessary) and (3) State Law Changes (if necessary).

The SCAG Regional Council Tribal Government Relations Task Force will guide the implementation of the work program (described below) and the National Indian Justice Center will provide the Task Force with recommendations and advice.

The work program steps include:

1. The preparation and transmittal of a resolution from SCAG to the Tribal Governments. The resolution will indicate SCAG's desire to establish a formal relationship.
2. Creation of a SCAG Tribal Government Relations Task Force.
3. Development of proposed agreement membership language based upon direction of the Regional Council.
4. Periodic SCAG Tribal Government Relations Task Force meetings to facilitate the agreement.
5. Review responses from Tribal Governments and negotiate with Tribal Governments and their staff to facilitate an agreement.

Timeline to Implement Work Plan:

June 2005:

Regional Council Adopts Resolution to Tribal Governments.

Regional Council approves work plan to implement Strategic Plan Goal Five.

Regional Council appoints Tribal Government Relations Task Force.

June 9, 2005 meeting with Tribal Government staff.

July 2005 – December 2005:

Monthly reports to Administration Committee and Regional Council.

SCAG organizes informational workshop presentations for Tribal Governments.

Monthly meetings with Tribal Government staff.

SCAG requests presentations to Tribal Councils.

SCAG request presentation to TASIN.

SCAG organize presentation to Tribes along the Colorado River.

January 2006:

Tribal Governments send proposed membership agreement language to SCAG.

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February 2006:

SCAG Regional Council presented with proposals from each Tribal Government.

March 2006:

SCAG Regional Council considers agreement.

SCAG Regional Council considers By-laws if necessary changes for 2006 General Assembly.

May 2006:

General Assembly ratifies By-law changes, if necessary, and takes any other appropriate action.

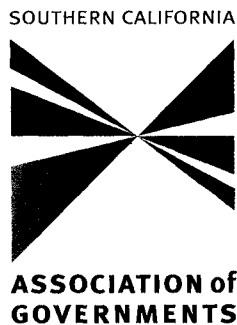


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SCAG was invited to a meeting, organized by the Torres-Martinez Desert Cahuilla Indians, on April 28, 2005 to receive comments from the Tribal Governments in response to concepts presented by SCAG staff at the September 9, 2004 Summit. At the April 28, 2005 meeting the Tribal Governments in attendance (Agua Caliente Band of Cahuilla Indians; Ramona Band of Cahuilla Indians; Santa Rosa Band of Cahuilla Indians and the Torres-Martinez Desert Cahuilla Indians) asked SCAG to provide: (1) work plan; (2) schedule; and (3) language for an agreement. On May 4, 2005 at the General Assembly the Tribal Governments who had attended the April 28th meeting, presented resolutions of their desire to establish a formal relationship with SCAG.

FISCAL IMPACT:

All work related to adopting the recommended staff action is contained within the adopted FY 05-06 Overall Work Program. In the past the Tribal Governments have sponsored SCAG Summit meetings, however, in anticipation of organizing five additional meetings with Tribal Governments the amount not to exceed \$5,000 (General fund FY 05-06) is requested from the General Fund to cover room, food and beverage expenses. If the meetings are held at the SCAG Riverside Office the budget requirements will be lower.



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Orange County Transportation Authority: Lou Correa, County of Orange

Riverside County Transportation Commission: Robin Lowe, Hemet

Ventura County Transportation Commission: Keith Millhouse, Moorpark

Resolution # 05-464-1 Through 16
RESOLUTION of Southern California Association of Governments to Federally Recognized Tribal Governments in the Region

WHEREAS, the Southern California Association of Governments, or SCAG, is the nation's largest Metropolitan Planning Organization representing the six counties (Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura) and 187 cities that make up the Southern California region; including 16 federally recognized Tribal Governments and

WHEREAS, SCAG adopted its Strategic Plan in November 2002 wherein Goal Five calls for SCAG to establish a role for Native Americans in the regional transportation planning process; and

WHEREAS, SCAG in coordination with Tribal Governments convened four Tribal Summits from September 2003 through September 2004, wherein SCAG has recognized that Tribal Governments are Sovereign Nations; and

WHEREAS, Certain Tribal Governments convened a Summit on April 28, 2005 to provide their initial response to Strategic Plan Goal Five and the concepts presented by SCAG at the September 2004 Summit; and

WHEREAS, SCAG and the Tribal Government staff are meeting to develop a plan of action to facilitate a formal agreement to be approved by the Regional Council and if necessary the General Assembly;

NOW, THEREFORE BE IT RESOLVED that:

1. SCAG commends the [Insert Name of Tribal Government] for their efforts to play a critical role in shaping Southern California's future through their participation in the regional transportation planning process; and
2. SCAG intends to work diligently to establish a participation role by the Tribal Governments in the region in SCAG's planning activities.

Approved and Adopted at a regular meeting of the Regional Council of the Southern California Association of Governments on this 2nd day of June, 2005.

TONI YOUNG
President
Councilmember, City of Port Hueneme

Attest:

MARK A. PISANO
Executive Director

KAREN TACHIKI
Legal Counsel

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List of Tribal Governments in SCAG Region

1. Pechanga Band of Luiseño Mission Indians (Resolution # 05-464-1)
2. San Manuel Band of Mission Indians (Resolution # 05-464-2)
3. Fort Mojave Indian Tribe (Resolution # 05-464-3)
4. Chemehuevi Reservation (Resolution # 05-464-4)
5. Torres-Martinez Desert Cahuilla Indians (Resolution # 05-464-5)
6. Soboba Band of Luiseño Indians (Resolution # 05-464-6)
7. Santa Rosa Band of Mission Indians (Resolution # 05-464-7)
8. Ramona Band of Cahuilla Indians (Resolution # 05-464-8)
9. Twenty-Nine Palms Band of Mission Indians (Resolution # 05-464-9)
10. Morongo Band of Mission Indians (Resolution # 05-464-10)
11. Colorado River Tribal Council (Resolution # 05-464-11)
12. Cahuilla Band of Mission Indians (Resolution # 05-464-12)
13. Cabazon Band of Mission Indians (Resolution # 05-464-13)
14. Augustine Band of Mission Indians (Resolution # 05-464-14)
15. Agua Caliente Band of Cahuilla Indians (Resolution # 05-464-15)
16. Quechan Indian Tribe (Resolution # 05-464-16)